

Hon. Justin L. Quackenbush

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Attorneys for Defendant INTERNATIONAL  
CASES AND MFG., DBA SILTON COMPANY

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
AT SPOKANE

EVELYN CRAVEN et al.,

Plaintiffs,

v.

NATIONAL ASSOCIATION OF STATE  
FORESTERS, et al.,

Defendants.

NO. CV-04-0243-JLQ

DEFENDANT INTERNATIONAL  
CASES & MANUFACTURING, INC.,  
DBA SILTON COMPANY'S  
STATEMENT OF RESPONSIBLE  
PARTIES

KATHIE FITZPATRICK et al.,

Plaintiffs,

v.

ANCHOR INDUSTRIES, INC. et al.,

Defendants.

No. CV-04-3123-JLQ

DEFENDANT INTERNATIONAL  
CASES & MANUFACTURING, Inc.,  
dba SILTON COMPANY'S  
STATEMENT OF RESPONSIBLE  
PARTIES

KENNETH L. WEAVER et al.,

Plaintiffs,

v.

NATIONAL ASSOCIATION OF STATE  
FORESTERS, et al.,

Defendants.

No. CV-04-3075-JLQ

DEFENDANT INTERNATIONAL  
CASES & MANUFACTURING, Inc.,  
dba SILTON COMPANY'S  
STATEMENT OF RESPONSIBLE  
PARTIES

1 Defendant International Cases & Manufacturing, Inc., dba Silton Company  
2 (Silton) respectfully submits its Statement of Responsible Parties in accordance  
3 with the Court's Scheduling Conference Order, of May 18, 2005.

4 Based upon the pleadings and records on file, including Silton's Answers to  
5 the Complaints filed against it in the above-captioned matters, incorporated herein  
6 by references, Silton identifies the following additional responsible parties:

7 (1) The United States government and its employees, including but not  
8 limited to authorized agents and employees of the United States Department of  
9 Agriculture Forest Service ("USFS").  
10  
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12 Factual Basis: The United States government, the USFS, and its agents and  
13 employees are responsible parties based upon the information contained in the  
14 Thirty Mile Fire Investigation Report, witness statements, and the OSHA Report.  
15 Silton incorporates its pleadings and papers filed in this matter with regard to the  
16 identities of any individual responsible employees of the federal government.  
17

18 (2) The as yet unidentified person or persons who originally started the  
19 fire that burned out of control and became known as the Thirty Mile Fire. This list  
20 will be supplemented if and when the identity of these person(s) becomes  
21 available.  
22

23 Factual Basis: The person or persons who started the Thirty Mile Fire are the  
24 reason that the services of the USDA Forest Service and the deceased firefighters  
25 became necessary. The person(s) who set the fire are ultimately the primary cause  
26

1 of the deaths of firefighters Devin Weaver, Jessica Johnson, Karen Fitzpatrick, and  
2 Thomas Craven. This is based upon the information contained in the Thirty Mile  
3 Fire Investigation Report, witness statements, and the OSHA Report.

4 (3) Karen Fitzpatrick

5  
6 Factual Basis: Karen Fitzpatrick is an at-fault party based upon her misuse  
7 of the fire shelter, including her failure to follow directions to come down to the  
8 road to deploy, failure to follow the instructions for deployment and picking of an  
9 appropriate deployment site contained in the training and training materials, and  
10 failure to make timely preparations to deploy once the firefighters were entrapped.  
11 The Thirty Mile Fire Investigation Report, the Witness Statements which were a  
12 part of the USDA Forest Service Thirty Mile Fire investigation, the OSHA Report,  
13 and autopsy report contain pertinent information.  
14

15  
16 (4) Jessica Johnson

17 Factual Basis: Jessica Johnson is an at-fault party based upon her misuse of  
18 the fire shelter, including her failure to follow directions to come down to the road  
19 to deploy, failure to follow the instructions for deployment and picking an  
20 appropriate deployment site contained in the training and training materials, and  
21 failure to make timely preparations to deploy once the firefighters were entrapped.  
22 The Thirty Mile Fire Investigation Report, the Witness Statements which were a  
23 part of the USDA Forest Service Thirty Mile Fire investigation, the OSHA Report,  
24 and autopsy report contain pertinent information.  
25  
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1 (5) Tom Craven

2 Factual Basis: Tom Craven is an at-fault party based upon his misuse of the  
3 fire shelter, including his failure to follow directions to come down to the road to  
4 deploy, failure to remove his pack with fusees, failure to follow the instructions for  
5 deployment and picking an appropriate deployment site contained in the training  
6 and training materials, and failure to make timely preparation to deploy once the  
7 firefighters were entrapped. The Thirty Mile Fire Investigation Report, the Witness  
8 Statements which were a part of the USDA Forest Service Thirty Mile Fire  
9 investigation and the OSHA Report, and autopsy report contain pertinent  
10 information.  
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13 (6) Devin Weaver

14 Factual Basis: Devin Weaver is an at-fault party based upon his misuse of the  
15 fire shelter, including his failure to follow directions to come down to the road to  
16 deploy, failure to follow the instructions for deployment and picking an  
17 appropriate deployment site contained in the training and training materials, and  
18 failure to make timely preparations to deploy once the firefighters were entrapped.  
19 The Thirty Mile Fire Investigation Report, the Witness Statements which were a  
20 part of the USDA Forest Service Thirty Mile Fire investigation, the OSHA Report,  
21 and autopsy report contain pertinent information.  
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24 (7) Other component suppliers or testing facilities including but not  
25 limited to Cleveland Laminating and Underwriter's Laboratories.  
26

Factual Basis: Cleveland Laminating provided laminated cloth to Silton to assemble GSA fire shelters. Testing facilities, including Underwriter's Laboratories, provided testing results on the laminated cloth used by Silton to make fire shelters. Silton relied upon the content of the testing reports and the certifications of Cleveland Laminating and the testing entities. If the *Craven* or *Fitzpatrick* plaintiffs contend or seek to prove that a Silton shelter was used by Jessica Johnson, Karen Fitzpatrick and/or Tom Craven and that laminated cloth was a cause of the deaths of these plaintiffs, the laminated cloth suppliers, including Cleveland Laminating and the testing facilities, including Underwriter's Laboratories, and any others, may be responsible parties. *See also* pleadings, certifications and testing results and reports, and other documents produced through T-scan.

Silton reserves the right to supplement its Statement of Responsible Parties based upon additional discovery and investigation and any addition by Plaintiffs of any addition responsible parties to whom fault may be apportioned or assigned. Silton joins the Statement of Responsible Parties of other defendants.

DATED this 4th day of August, 2005.

LAW OFFICES OF KEITH M. KUBIK

By KEITH M. KUBIK, WSBA #24218  
Attorney for Defendant International Cases  
& Manufacturing, Inc., d/b/a Silton Company

**CERTIFICATE OF SERVICE**

I certify under the laws of the United States of America that on the 4th day of August, 2005 I electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using the CM/ECF System and served counsel below by the method indicated:

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1 DATED this 4th day of August 2005.

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